

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRENT WEST

Plaintiff,

:

v.

:

**CIVIL ACTION
NO. 17-1592**

DAN LEPORE & SONS COMPANY.,
and ALDO CIANCIULLI, *Individually*
Defendants.

:

ORDER

AND NOW, this 14th day of March, 2019, upon consideration of: Defendants' Motion for Summary Judgment (ECF No. 16), Plaintiff's Opposition thereto (ECF No. 17), and Defendants' Reply (ECF No. 20), it is hereby ORDERED as follows:

- (1) Defendant Cianciulli's Motion for Summary Judgment is GRANTED as to Counts III and VI and DENIED as to Counts IV, V, VII, VIII, and IX;
- (2) Defendant Lepore's Motion for Summary Judgment is DENIED in its entirety;
- (3) On or before April 29, 2019, the parties shall either schedule a settlement conference with United States Magistrate Judge Lynne A. Sitarski, or participate in the Court-Annexed Mediation Program at no cost to either side. A list of approved mediators participating in the Program may be found at: <http://www.paed.uscourts.gov/documents2/mediation>; and,
- (4) Within fourteen (14) days of settlement proceedings, the parties shall provide this Court with a jointly-prepared written status report, filed via the court's Electronic Case Filing system.

BY THE COURT:

/s/ C. Darnell Jones, II J.